

Amendments to the Claims

1. (Currently Amended) A method for employing a technical protection service pursuant to the issuance or maintenance of a data / presence insurance policy ~~by another~~, the method to be performed by an entity desiring coverage by the policy, the method comprising ~~the steps of:~~

~~the entity contracting for the employment of establishing a technical protection service, the technical protection service protecting at least one of data of the entity and a presence of the entity the contracting the contracting step memorialized in an agreement whose named parties or intended beneficiaries include an insurer and the insured entity;~~

~~obtaining the data / presence insurance by providing evidence of existence of the technical protection service; and~~

~~memorializing a contract for the data / presence insurance the insured entity employing the technical protection service pursuant to the agreement.~~

2. (Currently Amended) The method of claim 1, ~~wherein the contracting step memorializes an agreement whose named parties or intended beneficiaries include a technical services provider, the insurer, and the insured entity; wherein the insured entity employs the technical protection service provided by the technical services provider under the agreement, and wherein the technical services provider reports further comprising reporting~~ to the insurer on the status of the technical protection service.

3. (Currently Amended) The method of claim 1, wherein ~~the employing step employs establishing the technical protection service further comprises establishing a data mirroring service as the technical protection service.~~

4. (Currently Amended) The method of claim 1, wherein ~~the employing step employs establishing the technical protection service further comprises establishing a virus detection service as the technical protection service.~~

5. (Currently Amended) The method of claim 4, ~~wherein the employing step employs a virus detection service as the technical protection service) and the method further comprising: comprises employing the technical protection service of keeping~~
~~creating a snapshot of the data of the entity; and which can be used for rollback and data recovery~~

if a virus is detected, rolling back the data to a point in time before the virus was detected using the snapshot.

6. (Currently Amended) The method of claim 1, wherein obtaining the data / presence insurance further comprises ~~the contracting step memorializes~~ obtaining data insurance in the agreement.

7. (Currently Amended) The method of claim 1, wherein obtaining the data / presence insurance further comprises ~~the contracting step memorializes~~ obtaining presence insurance in the agreement.

8. (Currently Amended) A method for providing technical protection services pursuant to the issuance or maintenance of a data / presence insurance policy ~~by another~~, the method to be performed by a technical services provider, the method comprising ~~the steps of:~~

~~the technical services provider contracting to provide~~ providing an entity with a technical protection service, ~~the technical protection service protecting at least one of data of the entity and a presence of the entity~~ the contracting step memorialized in an agreement whose named parties or intended beneficiaries include the technical services provider, an insurer, and the insured entity;
informing an insurer of capabilities of the technical protection service prior to issuance of the data / presence insurance policy; and
reporting on a status of the technical protection service to the insurer after issuance of the data / presence insurance policy ~~the technical services provider providing the insured entity with the technical protection service pursuant to the agreement.~~

9. (Currently Amended) The method of claim 8, wherein ~~the providing the entity with the technical protection service further comprises~~ step provides providing the entity with a data mirroring service ~~as the technical protection service.~~

10. (Currently Amended) The method of claim 8, wherein ~~the providing the entity with the technical protection service further comprises~~ step provides providing the entity with a virus detection service ~~as the technical protection service.~~

11. (Currently Amended) The method of claim 10, ~~wherein the providing step provides a virus detection service as the technical protection service, and the method further comprising:~~
~~comprises providing the technical protection service of keeping~~
creating a snapshot of the data of the entity; and which can be used for rollback and data recovery

if a virus is detected, rolling back the data to a point in time before the virus was detected using the snapshot.

12. (Currently Amended) The method of claim 8, wherein the ~~contracting step memorializes data / presence insurance policy is a data insurance policy in the agreement.~~

13. (Currently Amended) The method of claim 8, wherein the ~~contracting step memorializes data / presence insurance policy is a presence insurance policy in the agreement.~~

14. (original) A method for providing data / presence insurance coverage to an entity in view of a technical protection service to be employed by or provided to the entity, the method to be performed by an insurer, the method comprising the steps of:

calculating a premium for the data / presence insurance coverage, the premium calculation depending on an expected result of the technical protection service; and

contracting with the insured entity for the data / presence insurance coverage in view of the technical protection service, the contracting step memorialized in an agreement whose named parties or intended beneficiaries include the insurer and the insured entity.

15. (original) The method of claim 14, wherein the contracting step memorializes an agreement whose named parties or intended beneficiaries include a technical services provider, the insurer, and the insured entity, and wherein the technical services provider provides the technical protection service to the insured entity under the agreement.

16. (original) The method of claim 15, wherein the technical services provider reports to the insurer on the status of the technical protection service.

17. (original) The method of claim 14, wherein the calculating step depends on the expected result of a data mirroring service as the technical protection service.

18. (original) The method of claim 14, wherein the calculating step depends on the expected result of a geographic spread accomplished by the technical protection service.

19. (original) The method of claim 14, wherein the calculating step depends on the expected data recovery time resulting from the technical protection service.

20. (original) The method of claim 14, wherein the calculating step depends on the expected result of multiple recovery methods provided by the technical protection service.

21. (original) The method of claim 14, wherein the calculating step depends on the expected result of virus detection provided by the technical protection service.

22. (original) The method of claim 14, wherein the contracting step memorializes data insurance in the agreement.

23. (original) The method of claim 14, wherein the contracting step memorializes presence insurance in the agreement.

24. (original) A system comprising:
a storage medium configured with insured data belonging to an insured entity, and
a technical services means for supporting the provision to the insured entity of technical data protection services pursuant to an agreement whose named parties or intended beneficiaries include a technical services provider, an insurer, and the insured entity.

25. (original) The system of claim 24, wherein the technical services means comprises remote mirroring tools.

26. (original) The system of claim 24, wherein the technical services means comprises anti-virus software.

27. -37. (Cancelled)

38. (New) A method for providing insurance against data loss, comprising:
establishing a remote data volume including all data of a local data volume at a point in time;
updating the remote data volume over a communications link with data changes to the local data volume;

determining an exposure period, the exposure period based on a time period between a time a data change occurs on the local data volume and a time the data change occurs on the remote data volume; and

calculating an insurance premium using the exposure period.

39. (New) The method of claim 38, further comprising:
monitoring a data change rate between the local data volume and the remote data volume, the data change rate indicating a rate at which data changes are transmitted to the remote data volume;
and

adjusting the insurance premium in response to the data change rate.

40. (New) The method of claim 39, wherein adjusting the insurance premium further comprises limiting coverage for loss of data changes from the local data volume if the data change rate increases above a predefined threshold.

41. (New) The method of claim 38, further comprising:
establishing at least one additional remote data volume, each additional remote data volume including all data of the local data volume at an associated point in time; and
adjusting the insurance premium in response to a number of the additional remote data volumes.

42. (New) The method of claim 38, further comprising:
inspecting at least one of the local data volume, the remote data volume, and the communications link;
wherein calculating the insurance premium further comprises calculating the insurance premium in response to the inspection.

43. (New) The method of claim 38, further comprising:
monitoring an availability of the remote data volume; and

adjusting the insurance premium in response to the availability of the remote data volume.

44. (New) The method of claim 38, wherein:

establishing the remote data volume further comprises establishing a plurality of remote data volumes at geographically distinct locations, each of the remote data volumes including all data of the local data volume at an associated point in time; and

updating the remote data volume further comprises updating each remote data volume over an associated communications link with data changes to the local data volume; and

further comprising:

determining an availability of each remote data volume;

determining a geographic dispersion of the available remote data volumes; and

adjusting the insurance premium in response to the geographic dispersion of the available remote data volumes.

45. (New) The method of claim 38, further comprising:

calculating a loss estimate, the loss estimate indicating a potential loss during the exposure period; and

calculating a probability of loss, the probability of loss indicating the likelihood that data changes occurring during the exposure period may be lost;

wherein calculating the insurance premium further comprises calculating the insurance premium using the exposure period, the loss estimate, and the probability of loss.

46. (New) The method of claim 38, further comprising:

determining an expected data recovery time, the expected data recovery time indicating an expected time between a restoration of data on the local data volume from the remote data volume;

wherein calculating the insurance premium further comprises calculating the insurance premium using the expected data recovery time.